GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department - Disciplinary Proceedings instituted against Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality, SPSR Nellore District under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 – Enquiry conducted - Punishment imposed - Appeal filed - Appeal allowed partially – Reduction of punishment of stoppage of Five Annual Grade Increments with cumulative effect, besides recovery of Rs.79,025/- to that of stoppage of Two Annual Grade Increments without cumulative effect, besides recovery of Rs.79,025/- - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 222 **Dated: 05-05-2020.**

Read the following:-

1. G.O.Rt.No.1216, MA&UD (Vig.II) Department, dated.21.09.2011.
2. G.O.Rt.No.467, MA&UD (Vig.II) Department, dated.20.07.2016.
3. From Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality, Review petition dated.16.12.2019.

***

O R D E R:

Whereas, in the G.O. 1st read above, Government have initiated disciplinary action by issuing articles of charges against Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality, SPSR Nellore District for allowing the entrustment of bill Collector duties to the out sourced worker Sri V.Raja against the rule provisions and failed to verify the bills, daily chitta cash book and other financial transactions made by the outsourced worker and also failed to deduct the misappropriation amount and stop the financial loss to the Municipality.

2. Government have examined the matter and after following due procedure in terms of A.P.C.S. (CC&A) Rules, 1991, orders were issued imposing a penalty of "Stoppage of Five Annual Grade Increments with cumulative effect, besides recovery of Rs.79,025/-" against Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality vide reference 2nd read above.

3. Aggrieved by the punishment orders, Sri K.Nagabhushanam, the then A.E. & M.C (i/c), Venkatagiri Municipality has filed Appeal Petition before the Government vide reference 3rd read above, wherein, he has stated that, Sri V.Raja has been working as bill collector outsourcing basis at that time who appointed before his in-charge for collection of taxes and the same thing has been continued by his predecessors and successors also. He has not given any order to allow the out sourced worker for the entrustment of bill collector duties with respect to redistribution of work, as pointed out by the Enquiry Officer. Also charges were leveled against some other charged officers who worked as Commissioners before him are on the same subject and the charges are similar but punishments are different which shows inequality.

(P.T.O.)

4. Aggrieved by the punishment orders, Sri K.Nagabhushanam has approached the Hon'ble High Court on the discrimination in awarding major penalty against him and letting out the other regular Municipal Commissioners (who are his predecessors) with minor penalty or dropping charges. On 22.10.2019, the Hon'ble High Court in W.P.No.15218/2019 disposed of giving liberty to the petitioner i.e., Sri K.Nagabhushanam to make a representation to the Govt. to pass appropriate orders within four weeks, keeping in view that the other employees, who were charged along with the petitioner, were given only minor penalty. Therefore, he has requested the Govt. to reconsider his case and to exonerate from the charges and waive the penalty imposed against him.

5. Government after careful examination of the matter, have decided to allow the appeal petition filed by Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality and to reduce the punishment of stoppage of Five Annual Grade Increments with cumulative effect, besides recovery of Rs.79,025/- to that of stoppage of Two Annual Grade Increments without cumulative effect, besides recovery of Rs.79,025/-.

6. Accordingly, Government hereby order to reduce the punishment of stoppage of Five Annual Grade Increments with cumulative effect, besides recovery of Rs.79,025/- to that of stoppage of Two Annual Grade Increments without cumulative effect, besides recovery of Rs.79,025/- against Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality and now working as Assistant Engineer in Tenali Municipality.

7. The Commissioner & Director of Municipal Administration, A.P., Guntur shall take further necessary action in the matter, accordingly.

8. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.SYAMALA RAO
SECRETARY TO GOVERNMENT

To
Sri K.Nagabhushanam, the then Assistant Engineer & Municipal Commissioner (i/c), Venkatagiri Municipality, now working as Assistant Engineer in Tenali Municipality - **through** C&DMA., A.P., Guntur.
The Commissioner & Director of Municipal Administration, A.P., Guntur.

Copy to:

The Engineer-In-Chief (PH), A.P., Guntur.
The Regional Director cum Appellate Commissioner of Municipal Administration, Guntur.
The Municipal Commissioner, Venkatagiri Municipality, SPSR Nellore District.
The Municipal Commissioner, Tenali Municipality, Guntur District.
SF / SCs.

// FORWARDED BY ORDER //

SECTION OFFICER.